

# FY 2009 Family Violence Prevention and Services Act Grant Three Year Plan and Application

State of Hawaii  
DEPARTMENT OF HUMAN SERVICES  
Social Services Division  
May 2009

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## SUMMARY

The purpose of the Family Violence Prevention and Services Act (FVPSA) Program is to support the establishment, maintenance and expansion of programs and projects to prevent incidents of family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents that meet the needs of all victims, including those in underserved communities.

To receive FY 2009 FVPSA grant funds, states are required to submit a FY 2009 - FY 2011 three year plan. Hawaii's plan is a current service plan, for now, with changes to be made later for the following reasons:

- Hawaii, like the rest of the nation, is faced with an economic and fiscal crisis. The severity of funding cutbacks is not yet fully known. The extent of social need and the impact of budget restrictions or budget relief on social safety net services to address need will not be known until after the close of the 2009 State Legislative Session and enactment of a new State budget.
- The existing six year purchase of service (POS) current service contracts have been extended another year for FY 2010. A new program and financial plan for FVPS spending will be developed by December 2009 and request for proposals (RFP) will be issued by January 2010 for a new funding period beginning FY 2011. Planned program changes should be reflected in the new RFP.

The Hawaii Department of Human Services (DHS) contracts with 6 non-profit entities to operate and provide 24-hour DV hotline services for responding to crisis calls, information and referral assistance, emergency shelter services, outreach, community education, assistance in developing safety plans, individual and group counseling, transportation and other supportive services for adults (men and women) and children in the shelters, including transition planning and follow-up services for DV survivors exiting the shelter:

In addition, DHS contracts with the Domestic Violence Action Center for a teen dating violence hotline to respond to crisis calls for this special target group, safety planning and case management services, outreach, and school and community based education.

Service Providers		Program and Shelter Sites	
1	Child and Family Services (CFS)	1	Honolulu
		2	Leeward Oahu
		3	East Hawaii
		4	West Hawaii
2	Parents and Children Together (PACT)	5	Windward Oahu 1
3	Windward Spouse Abuse Shelter	6	Windward Oahu 2
4	Kauai YWCA	7	Kauai

5	Women Helping Women (WHW) Emergency Shelter and Programs for Victims of Domestic Violence	8	Maui, including help arrangements for Lanai
6	Hale Ho'omalulu	9	Molokai
7	Domestic Violence Action Center	10	Teen Alert Program (Teen Dating Violence)

In FY 2008, the FVPSA Program received and responded to 5,340 hotline crisis calls and 16,349 information and referral calls statewide. The program provided emergency shelter for 838 women and 696 accompanying children.

Of the 373 single adults exiting the shelter in FY 2008, 79% (289) moved to safety. Of the 311 families exiting the shelter, 79% (246) moved to safety.

Reasons for the rise in the safety rate of single adults exiting the shelter from 65% (246) in FY 2007 to 79% (289) in FY 2008, which includes women whose children are in the custody of others, are positive but unclear

The Domestic Violence Action Center received 9 teen dating violence hotline calls in FY 2008; 65 assessments were conducted; and 65 youth received case management services. Seventy percent (70%, or 16 of 23 cases) of the youth terminated an abusive relationship while their cases were active with the program. Of the 23 youth who exited the program in FY 2008, 22 (91%) were safer when they left.

DHS receives Federal FVPSA grant funds to carry out this program purpose but FVPSA grant funds represent only 21% of total projected program annual budget for FY 2008 and FY 2009, and alone the grant funds are insufficient.

In FY 2007, DHS increased program funding by \$500,000 (+24%) from \$2,108,668 in FY 2006 to \$2,608,668 utilizing TANF funds.

For FY 2008, the State Legislature appropriated State General Funds to increase funding again by another \$762,500 (+29%) to \$3,371,168, for an overall increase in funding of 60% from FY 2006 to FY 2008.

Also, in FY 2008, an additional \$200,000 in TANF funds was provided for a new Windward Oahu Spouse Abuse Shelter contract.

The plan for FY 2009 through FY 2011, for now, is to sustain FY 2008 funding levels.

The funding increases noted above are occurring at a time when the overall number of women, men and accompanying children sheltered are declining and are in recognition that their special needs and issues are getting more complicated and challenging, requiring funding support and integrative

partnerships for services and training to improve immediate safety, stabilization and transition outcomes.

DV shelters are often a refuge of last resort, and the issues that women seeking shelter bring with them include:

- **1 in every 5** (FY 2008 data) adults sheltered reported **sexual abuse**.
- **1 in every 4** (FY 2007 data; FY 2008 has not yet been aggregated and analyzed) adults sheltered had **substance abuse** issues and were referred for substance abuse services. The shelters hired certified substance abuse counselors (CSAC) for their recovery services program for women in the shelter.
- **1 in every 11** (FY 2008 data) of the women sheltered (women in the shelter accompanied by their children and women without their children) were known to **Child Protective Services** (CPS).
- Women with **mental illness** issues and under medication.
- Vulnerable **disabled** victims.
- Victims with **immigration issues and undocumented aliens** needing assistance in obtaining legal status and protections under the Federal Violence Against Women Act (VAWA).
- Lack of **housing**, **5 of every 6** (FY 2007 data) sheltered adults received housing advocacy
- Lack of **transportation**, **1 of every 2** (FY 2007 data) sheltered adults received transportation services
- **Language/communication barriers**, **1 of every 16** sheltered adults needed language assistance. The need was greatest on Oahu with Chuukese, Micronesian, Tagalog, and Korean topping the list.

Family Violence Prevention and Services Act (FVPSA) Grant  
State of Hawaii Three Year Plan and FY 2009 Application

**1. Applicant information:**

Name of State Agency:	Hawaii Department of Human Services
Name of Chief Program Official designated as responsible for the administration of the FVPSA grant:	Lillian B. Koller, Director
Plan contact person:	Gibby Fukutomi, Planning Administrator Social Services Division - Planning 810 Richards St., Suite 501 Honolulu, HI 96813  Phone: (808) 586-5702 Fax: (808) 586-5606 Email: <a href="mailto:gfukutomi@dhs.hawaii.gov">gfukutomi@dhs.hawaii.gov</a>
EIN number	1-99600181-A6
DUNS number:	824671176

**2. Program Mission and Functions**

The purpose of the Family Violence Prevention and Services Act (FVPSA) Program is to support the establishment, maintenance and expansion of programs and projects to prevent incidents of family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents that meet the needs of all victims, including those in underserved communities.

To receive FY 2009 FVPSA grant funds, states are required to submit a FY 2009 - FY 2011 three year plan. Hawaii's plan is a current service plan, for now, with changes to be made later for the following reasons:

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- The existing six year purchase of service (POS) current service contracts have been extended another year for FY 2010. A new program and

financial plan for FVPS spending will be developed by December 2009 and request for proposals (RFP) will be issued by January 2010 for a new funding period beginning FY 2011. Planned program changes should be reflected in the new RFP.

The Hawaii Department of Human Services (DHS) contracts with 6 non-profit entities to operate and provide 24-hour DV hotline services for responding to crisis calls, information and referral assistance, emergency shelter services, outreach, community education, assistance in developing safety plans, individual and group counseling, transportation and other supportive services for adults (men and women) and children in the shelters, including transition planning and follow-up services for DV survivors exiting the shelter:

In addition, DHS contracts with the Domestic Violence Action Center for a teen dating violence hotline to respond to crisis calls for this special target group, safety planning and case management services, outreach, and school and community based education.

The target population for the DV emergency shelters is adults, with or without children, who are physically or emotionally abused/harmed or are in imminent danger of abuse/harm by a household member (e.g., spouse, intimate partner, former partner, parent, adult sibling or adult child, roommates, tenants, or children of partner) and in immediate need of protection/safe shelter. The target population also includes emancipated minors (minors who are legally married) and in need of safe shelter from domestic violence (DV). Men may also be in need of safe shelter from DV and may be sheltered in a hotel or other emergency housing options with the same access to services that other DV shelter residents receive.

Generally, those not appropriate for shelter services include:

- Individuals with severe drug/alcohol problems when they are not undergoing treatment and individuals determined to be psychotic or severely emotionally disturbed because they are usually unable to function in a group living situation and are unable to focus to receive the benefits of the program;
- Those, of any age, unable to care for themselves or their children, because the shelters are not licensed care facilities; and
- Minors under the age of 18 without parent supervision, unless emancipated through legal marriage.

Those not appropriate for DV shelter services would generally be referred to other appropriate resources. However, finding other appropriate resources continues to be a struggle and for some the shelters are a refuge of last resort.



As a result, the shelters have had to develop creative partnerships in bringing resources to the shelter in order to safely accommodate DV victims/survivors with special needs and complex issues, e.g., substance abuse, mental health issues, the complex legal issues and vulnerabilities of those victimized who are undocumented aliens without legal status, of immigrants or in arranging emergency shelter and protection for teen DV victims.

As noted by the shelter program directors, in some cases, they have hired or contracted a certified substance abuse counselor (CSAC) to come to the shelter to provide one-on-one meetings, as well as group meetings as part of their recovery services program.

[Stacy Moniz](#), Executive Director of the Maui Women Helping Women (WHW) Emergency Shelter and Programs for Victims of Domestic Violence, reports that they have been seeing an increase in mothers within a younger age range and it has been a challenge to guide them in positive parenting skills due to their level of understanding, and bringing in resources for family strengthening.

The West Hawaii shelter has partnered with the Healthy Start program, which comes to the shelter to assist women with children age 3 and younger. Mothers learn how their babies are developing as well as skills on how to cope with raising an infant or toddler.

The shelters also report on their partnership with the Hawaii Immigrant Rights Center, an organization in Hawaii that provides legal assistance to clients on immigration matters and to victims of abuse who are undocumented or lack legal status. Maui shared their efforts to assist a victim of abuse in obtaining legal status via the U nonimmigrant visa application process in order to afford them protections of the Federal Violence Against Women Act (VAWA).

There is an 89 day cap for stay at the DV emergency shelter. Requests for DHS extension of stay beyond the 89 day cap may be made by the shelters and may be granted by DHS on a case-by-case basis. As noted by [Marci Lopes](#), Program Director for the Parents and Children Together (PACT) Ohia Shelter in Windward Oahu, CPS Visitation Centers and Family Visitation Center Program:

*"Transitional housing is always a challenge, but we have made some good partners which has helped us find placement for our women and children.... (We wrote for) and were awarded a grant to help our women with rent and deposits, so that has helped us transition women to their own apartments without having to wait for other housing. We love having the flexibility and will continue to write those types of grants whenever possible."*

An example from West Hawaii of how the program has helped DV survivors:

*“The (West Hawaii) shelter was able to donate a car to a woman with two children who were in great need of safety. This family came into the shelter through a referral from OSM (Office of Social Ministry) where she had no idea that there was a shelter for abused women and children. She was able to work on all her goals with help from her Case Manager at the shelter. Working closely with her Case Manager, this woman was able to obtain important documents that she was unable to take with her when she escaped the violent home. She was also able to obtain full time employment and her children were able to receive proper medical and dental care. This family was able to exit (the shelter) with safe affordable housing, a reliable car, donations of furniture and household items.”*

INFORMATION ON HOTLINE CALLS AND ADULTS SHELTERED FY 2008	INFORMATION ON ACCOMPANYING CHILDREN SHELTERED FY 2008
<p>In FY 2008, the FVPSA Program received and responded to <b>5,340 hotline crisis calls</b> and 16,349 information and referral calls statewide.</p> <p>The program provided emergency shelter and protection for <b>838</b> adults statewide, FY 2007, 868.</p> <p>The shelter population profile provided below is based on data from all FVPS-funded shelters statewide.</p> <p>No <b>men</b> were sheltered in FY 2008 and FY 2007. 1 was reported in FY 2006 on Oahu; 4 in FY 2005 on Oahu.</p> <p><b>3</b> of the adults sheltered were <b>under age 19, as emancipated minors</b>, East Hawaii shelter only.</p> <p><b>10</b> (1%) were <b>ages 60 or older</b>; with Oahu reporting 3, Maui 3, West Hawaii 3 and East Hawaii 1.</p> <p><b>81</b> (9.7%) were <b>disabled</b>, compared to 52 (7%) in FY 2007. 21 were sheltered on Maui, 20 on Oahu, 5 Molokai, 5 Kauai, and 1 East Hawaii.</p> <p><b>10</b> (1%) of the adults sheltered were known to adult protective services (<b>APS</b>), compared to 17 (2%) in FY 2007.</p> <p><b>1 in every 11</b> adults sheltered were known to child protective services (<b>CPS</b>), or 76 (9.1%), down from 116 (16%).</p>	<p>There were <b>696</b> accompanying children sheltered statewide, <b>down over 13%</b> (-107) from FY 2007 (803).</p> <p>The shelter population profile provided below is based on data from all FVPS-funded shelters statewide.</p> <p><b>114</b> (16.4%) of the children sheltered were teenagers, age 13 – 18.</p> <p><b>1 in every 6</b> children sheltered with their parent were known to <b>CPS</b>; that is, <b>114</b> (16.4%) were known to CPS, down from 141 (20%) in FY 2007.</p> <p><b>31</b> (4.5%) were <b>sexually abused</b>, compared to 12 (1.5%) in FY 2007.</p> <p><b>3</b> (0.4%) were <b>disabled</b> and <b>22</b> (3.2%) <b>“other special needs”</b>, compared to 8 disabled and 72 other special needs in FY 2007.</p>

INFORMATION ON HOTLINE CALLS AND ADULTS SHELTERED FY 2008	INFORMATION ON ACCOMPANYING CHILDREN SHELTERED FY 2008															
<p>28 on Oahu, 6 on Molokai, 11 in East Hawaii; 5 in West Hawaii, 19 on Kauai, and 7 on Maui.</p> <p><b>1 in every 5</b> adults sheltered reported <b>sexual abuse</b>; or 187 (22.3%) of the adults sheltered reported sexual abuse, up from 161 (22%) in FY 2007.</p> <p>127 on Oahu, 3 in West Hawaii, 12 Maui, 41 Kauai, and 4 Molokai.</p> <p>In FY 2008, 6% or <b>1 of every 16</b> sheltered adult faced language/communication barriers, needed <b>language assistance</b>.</p> <p>In FY 2007, 65 (9%), or 1 of every 11 sheltered adults faced language/communication barriers, needed language assistance.</p> <p>In FY 2008, the need was greatest for the Oahu shelters, followed by the Kauai and West Hawaii shelters. Language assistance needs were reported for the following languages in order of frequency: Chuukese, Tagalog, Spanish, Samoan, Cantonese, Japanese, Hawaiian (Kauai only), Vietnamese, Marshallese, Korean and others including Rapa Nui, Arabic, Russian, German and Portuguese.</p> <p>*****</p> <p>Average length of stay:</p> <table><tr><td></td><td><u>FY 2007</u></td><td><u>FY 2008</u></td></tr><tr><td>CFS -</td><td></td><td></td></tr><tr><td>Oahu =</td><td>22 days</td><td>21 days</td></tr><tr><td>PACT -</td><td></td><td></td></tr><tr><td>Oahu =</td><td>20 days</td><td>23 days</td></tr></table>		<u>FY 2007</u>	<u>FY 2008</u>	CFS -			Oahu =	22 days	21 days	PACT -			Oahu =	20 days	23 days	
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<p>Windward 2</p> <table> <tr> <td>Oahu =</td> <td>8 days</td> </tr> <tr> <td>Kauai = 13 days</td> <td>19 days</td> </tr> <tr> <td>Maui = 26 days</td> <td>27 days</td> </tr> <tr> <td>Molokai = 12 days</td> <td>22 days</td> </tr> <tr> <td>East</td> <td></td> </tr> <tr> <td>Hawaii = 30 days</td> <td>33 days</td> </tr> <tr> <td>West</td> <td></td> </tr> <tr> <td>Hawaii = 44 days</td> <td>46 days</td> </tr> </table> <p>STATE = 25 days    26 days</p> <p>*****</p> <p>Outcomes:</p> <p>79% of the single adults who exited the shelter moved to safety compared to 65% in FY 2007.</p> <p>79% of the families who exited the shelter moved to safety compared to 77% in FY 2007.</p> <p>*****</p> <p>TEEN DATING VIOLENCE:</p> <p>The Domestic Violence Action Center received <b>9</b> teen dating violence <b>hotline calls</b> in FY 2008.</p> <p><b>63 assessments</b> were conducted.</p> <p><b>65</b> youth received <b>case management</b> services.</p> <p><b>70%</b> (16 of 23 cases) of the youth terminated an abusive relationship while their cases were active with the program.</p> <p>Of the 23 youth who exited the program in FY 2008, 22 *(91%) were safer when they left.</p>	Oahu =	8 days	Kauai = 13 days	19 days	Maui = 26 days	27 days	Molokai = 12 days	22 days	East		Hawaii = 30 days	33 days	West		Hawaii = 44 days	46 days	
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Services provided through the shelter:

- 24-hour DV hotlines, which provide crisis intervention, information and referral.
- 24-hour emergency shelters in each county statewide, which provide safe shelter, food and other necessities.
- Individual services – supportive counseling, assessment of client's needs, safety and goal planning, advocacy and information and referral for needed services, which include health services, legal services and housing assistance.
- Support group services focusing on family violence issues, self-esteem building, and parenting, self-help.
- Transportation and other services.
- Outreach and follow-up services.

The program provides attention to the needs of children in the shelters through child care, recreational and developmental activities, group and individual counseling and may link or refer them to other services with parental consent.

**Community Partnerships:** The State partners with community non-profit service providers for community-based hotline, shelter and supportive services. Relationships with these community partners are formalized through contractual agreements.

A critical partner for the hotlines/shelters is the county police. To strengthen and sustain that working partnership is ongoing communication and interaction.

**Service Integration:** FVPSA funds alone are not sufficient to achieve the stated goals and objectives. A number of State agencies with a number of Federal funding grants and service providers are working together to utilize their resources in an integrated manner to mutually achieve improved outcomes for those touched by family violence.

Federal Temporary Assistance for Needy Families (**TANF**) funds help TANF families in removing the barriers of their domestic violence situations so that they can achieve greater self-sufficiency.

Federal Victims of Crimes Act (**VOCA**) funds, through the State Department of the Attorney General (AG), support victim assistance services.

Federal Violence Against Women Act (**VAWA**) **STOP Formula Grant** funds, through the AG, support law enforcement, prosecutors, victim services and the courts.

**VAWA Rural DV Grant** funds, through the AG, support a statewide coordinated community response to DV.

**VAWA Arrest Grant**, through the AG, supports DV prosecution and training.

**VAWA Safe Haven Grant**, through the AG, supports statewide visitation and exchange services. The \$750,000 two-year grant expired last year. The AG applied for continued funding, but the funding request was not approved. As a result, there are no longer visitation and exchange centers in Kauai, Maui and West Hawaii. Thus, services are available only in Oahu and in East Hawaii (Waiakea), not statewide. The AG has reapplied again recently.

**VAWA and FVPSA State Coalition Grants** support Coalition activities.

**VAWA Grant to Combat Violent Crimes on Campus**, through the University of Hawaii, Manoa Campus, funds DV and rape prevention education.

Federal **Title XX, Social Services Block Grant (TANF Transfer)** funds are used in combination with FVPSA, TANF and State General Funds to fund the FVPSA Program.

Federal **Bryne Formula Grant** funds support DV offender services and forensic training.

Federal **Department of Health and Human Services (DHHS) Access and Visitation Grant** funds, through the State Judiciary, support visitation and exchange services – Family Visitation Centers on Oahu and in East Hawaii (Waiakea).

State **Spouse and Child Abuse Special Funds**, distributed through the State Judiciary, DHS and the State Department of Health (DOH), are used as “*glue money*” to fill the needs gap.

The 1997 State Legislature established the Domestic Violence Prevention Special Fund to be administered and expended by the Department of Health (DOH). In 2005, the Legislature changed the name of the special fund to **Domestic Violence and Sexual Assault Special Fund (DVSASF)** and expanded DOH responsibilities to include reporting annually to the Legislature on how to improve services for victims of DV and sexual assault.

DOH provided funds to the Hawaii State Coalition Against Domestic Violence (HSCADV) to develop a statewide 5 year strategic plan for DV, *Navigating a Course for Peace, Domestic Violence Strategic Plan 2007 - 2012*. HSCADV

and DOH established an oversight public-private partnership body, which DHS is a partner, to oversee implementation of the plan.

The FVPSA plan is consistent and supportive of the recommendations in the HSCADV plan.

**Cross-System Integration:** In April 2002, Carol Lee, the Executive Director of the Hawaii State Coalition Against Domestic Violence, Amy Tsark, Child Welfare Services Branch Administrator, and Judge R. Mark Browning, Family Court – Oahu, attended a Regional Leadership Forum on improving outcomes for children and families affected by domestic violence and child maltreatment. They committed their respective agencies to achievement of the following cross-system improvement goals:

1. Statewide collaboration
2. Formalize relationships for consistency and continuity
3. Develop joint protocols and policies
4. Protect family's safety
5. Involve community/diverse representation.

A DV – CWS Planning Committee was formed through the leadership of Judge Browning involving the DV coalition, CWS, and the Judiciary, First Circuit (Oahu).

June 2003: A facilitated meeting between DV service providers and CWS staff was held to identify common concerns and develop solutions. Following this meeting, the Planning Committee membership was expanded to include line representation (Oahu). The purpose of the expanded committee was clarified. The expanded committee was to (1) develop a framework that supports and encourages candid discussions of difficult issues common to DV and CWS, (2) assist/facilitate DV, CWS and the Judiciary in making decisions or recommendations, and (3) develop and prioritize the committee's tasks for the year.

2003 – 2004: The committee developed:

1. A **joint policy statement** concerning DV and child abuse with an agreed upon policy that, *"in general, children belong with their non-abusive parent, and, whenever possible, safety planning should be conducted for the child and the non-abusive parent."*
2. A **protocol to address disagreements** between DV service providers and CWS staff (Oahu).

June 2005: Building upon these cross-system efforts to improve communication and case coordination, **training collaboration** was the next step. The committee sponsored a cross-discipline forum for DV advocates and CWS social workers on working together and building resilience for victims and children, with facilitated discussion sessions.



December 2007: Two joint DV-CWS-Family Court training sessions were conducted.

Efforts are ongoing.

The Domestic Violence Action Center Teen Alert Program partnered with the Hawaii Youth Services Network (HYSN) and Recovery Works Films (Jeff Mueller) on an educational video about dating violence issues for runaway/homeless youth, Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) youth, and pregnant/parenting youth. The video was not completed due to differences regarding content with the film company. However, HYSN completed a dating violence curriculum which was used to train youth workers in each county.

In FY 2007, another challenge and opportunity arose to promote awareness and school partnership on the dynamics of teen dating violence, cross-temporary restraining orders (cross-TRO) and school harassment. A student at Waipahu High School, a teen dating violence client, was arrested for violating a cross-TRO that had been filed against her by her ex-boyfriend and his family. She had reportedly been walking in the same hallway at school as her ex-boyfriend, so he called the police to have her arrested and criminally charged for a TRO violation. During this incident, the client was harassed and embarrassed while she was escorted by police off the school campus by her ex-boyfriend's friends who called her names and taunted her. At first, when the client spoke to school administration, she was told that nothing could be done. The DVAC case manager and program coordinator subsequently met with the school vice principal (VP) and the VP agreed to closely monitor the situation, to have school security ensure the safety of the client by requiring the ex-boyfriend to take a different route to his classes, and for changes in school rules to include students who have TROs against one another.

### 3. FVPSA Program Goals and Objectives

GOAL	OBJECTIVES	Actual Performance, FY 2008
SAFETY: Prevent or decrease the occurrence of family violence.	SINGLE ADULTS MOVING TO SAFETY: <b>64% - 75%</b> of single adults will move from the shelter into a non-abusive situation.	79% (289 of 373)  Breakdown: Molokai – 100%; East Hawaii – 76%; Windward Oahu 1 – 83%; Maui – 57%; Honolulu & Leeward Oahu – 89%; Kauai – 61%; West Hawaii – 88%
	FAMILIES MOVING TO SAFETY: <b>55% - 75%</b> of families will move from the shelter into non-abusive situation.	79% (246 of 311)  Breakdown: East Hawaii – 84%; Molokai – 100%; Windward Oahu 1 – 82%; Honolulu & Leeward Oahu – 74%; Kauai – 68%; Maui – 79%; West Hawaii – 92%
	TEEN DATING VICTIMS MOVING TO SAFETY: <ul style="list-style-type: none"> <li>• <b>50%</b> of youth will terminate an abusive relationship while their case is active with the program</li> <li>• <b>45%</b> of youth will be safer when they leave the program</li> </ul>	70% (16 of 23)  91% (21 of 23 exits)
SUPPORT: Provide support to actual or potential victims of domestic violence.	ASSESS AND ADDRESS ONGOING SAFETY NEEDS:  <b>85% - 100%</b> of households will develop a safety plan	97%
	<b>100%</b> of youth in teen dating violence case management will develop a safety plan	85% (55 of 65)

4. How the needs of underserved populations will be met.
  - a. Underserved populations being targeted for outreach and services.
  - b. Training that will be provided to the individuals who will do the outreach and intervention to these populations.
  - c. Public information component of the State's outreach program.

#### UNIQUE NEEDS OF RURAL AREAS

The State of Hawaii consists of four counties and a number of islands. The population is distributed as follows, as of July 1, 2008:

COUNTY	ISLANDS	GENERAL POPULATION	%
Hawaii (rural)	Hawaii	175,784	14%
Honolulu (urban)	Oahu	905,034	70%
Kauai (rural)	Kauai	63,689	5%
Maui (rural)	Maui, Molokai, Lanai	143,691	11%
STATE TOTAL		1,288,198	100%

DV shelter and support services exist in all counties and all islands, except Lanai.

While the Neighbor Island counties (rural) account for 30% of the State's resident population, they account for 57% of the State's DV shelter population (FVPSA funded).

COUNTY	ISLANDS	STATEWIDE SHELTER POPULATION (Women + Men + Children), FY 2008	%
Hawaii (rural)	Hawaii	347 [181 East Hawaii 166 West Hawaii]	23%
Honolulu (urban)	Oahu	664 [424 Leeward + Honolulu 184 Windward 56 Windward 2]	43%
Kauai (rural)	Kauai	185	12%
Maui (rural)	Maui, Molokai, Lanai	340 [296 Maui 44 Molokai]	22%
STATE TOTAL		1,536	100%

Of the total \$3,680,068 in state and federal funds budgeted in FY 2008 for the FVPSA program, 55% (\$2,018,667) went to the Neighbor Island shelters in recognition of the needs and added barriers unique to rural areas.

- The FY 2009 – FY 2011 three year funding plan continues funding recognition of the needs and added barriers unique to rural areas.

## CHALLENGES OF CULTURAL DIVERSITY

Hawaii is very diverse as illustrated by the following population data, and the DV shelters and services funded must and do serve an ethnically and language diverse clientele. Thus, training for shelter staff includes cultural sensitivity and awareness training, including cultural differences with the influx of Compact of Free Association/Pacific Islander citizens.

ETHNICITY OF STATE RESIDENT POPULATION – 2007	%
Excludes persons in institutions, military barracks, households without telephones, the homeless and Niihau.	
Caucasian	23.1
Hawaiian and Part-Hawaiian	24.2
Mixed Race	20.1
Japanese	15.6
Filipino	11.2
Chinese	3.5
Black/African American	0.7
Samoan/Tongan	1
Korean	0.6

Based on data available from 9 DV shelter sites:

ETHNIC PROFILE OF ADULT SHELTER POPULATION, FY 2008									
	Windward Oahu 1 (PACT)	Windward Oahu 2 (Windward Spouse Abuse Shelter)	Honolulu & Leeward Oahu	East Hawaii	West Hawaii	Kauai	Maui	Molokai	STATE TOTAL
Caucasian	39	6	50	44	53	32	75	2	301
									35.9%
Hawn/ Part-Hawn	23	4	66	18	26	24	24	16	201
									24%
Filipino	13		48	9	1	25	10	3	109
									13%

ETHNIC PROFILE OF ADULT SHELTER POPULATION, FY 2008									
	Windward Oahu 1 (PACT)	Windward Oahu 2 (Windward Spouse Abuse Shelter)	Honolulu & Leeward Oahu	East Hawaii	West Hawaii	Kauai	Maui	Molokai	STATE TOTAL
Mixed		9	3	14		5	7		38 4.5%
Samoan/ Tongan		2	13	2			6		23 2.7%
Samoan	1								1 0.1%
Tongan	2								2 0.2%
Tahitian	1								1 0.1%
Micronesian	4								4 0.5%
Black American	5		11		1		5		22 2.6%
Hispanic/ Mexican/ Latin	10		13	1		6	2		32 3.8%
Japanese	3		8	2	1	2	2		18 2.1%
Chuukese			11						11 1.3%
Native American	3		4	2					9 1.1%
Chinese	6		3	1					10 1.2%
Korean			1	1					2 0.2%
Marshallese			10						10 1.2%
Portuguese									

ETHNIC PROFILE OF ADULT SHELTER POPULATION, FY 2008									
	Windward Oahu 1 (PACT)	Windward Oahu 2 (Windward Spouse Abuse Shelter)	Honolulu & Leeward Oahu	East Hawaii	West Hawaii	Kauai	Maui	Molokai	STATE TOTAL
Vietnamese	1		1						2 0.2%
French									
Puerto Rican	3								3 0.4%
Arabic									
Moroccan				1					1 0.1%
India				1					1 0.1%
African/ Kenya									
Russian			1						1 0.1%
Chilean	2								2 0.2%
Pacific Islander – not broken down; generalized						1			1 0.1%
Other – not broken down; lumped together: Marshallese, Portuguese, Arabic, Russian, German & Spanish					9				9 1.1%
Unknown							25		25 3%
TOTAL	116	21	243	96	91	95	156	21	839

## LANGUAGE/COMMUNICATION BARRIERS

While English is the primary language spoken in the home, over ¼ (26.6%) of the State's general population over 5 years old spoke another language in the home, mainly:

- Japanese (27%)
- Tagalog (22%)
- Ilocano (10%)
- Cantonese (10%)

A FY 2008 profile of the DV shelter adult population indicated that about 6% or **1 of every 16** sheltered adults needed language assistance.

LANGUAGE PROFILE OF ADULT SHELTER POPULATION, FY 2008									
	Windward Oahu 1 (PACT)	Windward Oahu 2 (Windward Spouse Abuse Shelter))	Honolulu & Leeward Oahu	East Hawaii	West Hawaii	Kauai	Maui	Molokai	STATE TOTAL
Chuukese			12						12
Micronesian									
Tagalog			2			6	1		9
Korean			1	1					2
Spanish	6								6
Ilocano	1					1		1	3
Samoan									
Tongan									
French									
German									
Kenyan									
Cantonese	3								3
Japanese			1		1	1			3
Hawaiian						3			3
Marshallese	2								2
Vietnamese	1		2						3
Rapa Nui	1								1
Other – Portuguese, Arabic, Russian, German, Spanish					8				8
American Sign									
TOTAL	14 of 206	0 of 21	18 of	1 of 96	9 of	11 of	1 of	1 of 22	55 of

LANGUAGE PROFILE OF ADULT SHELTER POPULATION, FY 2008									
	Windward Oahu 1 (PACT)	Windward Oahu 2 (Windward Spouse Abuse Shelter))	Honolulu & Leeward Oahu	East Hawaii	West Hawaii	Kauai	Maui	Molokai	STATE TOTAL
			249		82	95	156		927
	6.8%	0%	7.2%	1%	11%	12%	0.6%	4.5%	6%

### ASSESSED NEEDS

The AG is the State lead agency for the VAWA STOP Formula Grant Implementation Plan. The plan identifies the following underserved populations:

UNDERSERVED POPULATION	PROBLEMS/NEEDS
Teen females in violent relationships	Limited or no access to shelters and related services.
Victims in rural areas	<ul style="list-style-type: none"> <li>Isolation from law enforcement and services</li> <li>Need for safe houses as shelter options</li> <li>Lack of basic resources (shelter and related services)</li> <li>Lack of transportation (local and inter-island)</li> </ul>
Victims with children	<ul style="list-style-type: none"> <li>Need increased support in general</li> <li>Child visitation centers for supervised visitation and as drop-off/pick-up points</li> <li>Services for children who witness violence</li> </ul>
Other special populations: - Immigrants - Disabled - Victims with substance abuse issues - Mental health issues - Language barriers	Need for linkage with specialized services.



## THE PLAN

Provided below is a description of how the needs of the identified underserved populations will be met and the training to be provided to those who will do outreach and crisis intervention for the targeted population:

UNDERSERVED POPULATIONS	HOW PLAN TO MEET THEIR NEEDS	TRAINING TO BE PROVIDED
<p><b>Teenage females in violent relationships (statewide)</b></p> <p>Teenage girls who have run away from home and who are being abused by their boyfriends cannot come to the domestic violence shelters because those shelters are not licensed as child caring institutions under State law. Existing licensed youth emergency shelters may not be able to accept the youth without parental consent. Also there are no youth shelters on Molokai and Lanai.</p>	<p>DHS entered into a contract with the Domestic Violence Action Center, beginning 11/1/00, for teen dating violence services.</p> <p>Services include outreach, school and community-based education, a 24-hour hotline for crisis intervention, assessment, and case management services.</p> <p>In FY 2008, there were 9 hotline calls received; 65 assessments were conducted; and 65 youth received case management services.</p> <p>In FY 2009, DHS will continue to fund services.</p> <p>The Domestic Violence Action Center noted that in FY 2007 they were able to provide school-based presentation on teen dating violence to 9 of 69 public and private intermediate schools.</p> <p>They have offered 2 possible explanations for this: (1) They have heard</p>	<p>As part of this program, victims, their families, community service providers, including schools, will be provided education about the cycle and dynamics of teen dating violence.</p>

UNDERSERVED POPULATIONS	HOW PLAN TO MEET THEIR NEEDS	TRAINING TO BE PROVIDED
	<p>on multiple occasions that the curriculum is better suited for high school classrooms since high school students have more experience with dating relationships and have the maturity to freely discuss issues of dating, sex and abuse. Although the program is well aware that intermediate school students are also dating and engaging in sexual activity, intermediate school teachers and administrators do not feel their students are ready for the curriculum. This belief has proven to be a barrier in providing services to intermediate students. (2) Networking efforts have primarily focused on the high schools; have very few positive ongoing relationships at the intermediate school level.</p> <p>For FY 2009 - FY 2011, the goal is to overcome these barriers by reworking the curriculum to fit the needs of intermediate school students and to work harder at building relationships with intermediate school faculty and staff. From experience, they know that once they have an "in" at a particular school</p>	

UNDERSERVED POPULATIONS	HOW PLAN TO MEET THEIR NEEDS	TRAINING TO BE PROVIDED
	<p>(e.g., a counselor, health teacher, vice principal), word about the curriculum spreads rather quickly and they are able to make contacts at that school.</p> <p>The provider is not able to provide emergency shelter services for this target group.</p> <p>Other possible service options for homeless/ runaway teens in violent relationships are being explored in partnership with the Hawaii Youth Services Network (HYSN), the Hale Kipa Youth Outreach (YO) Project, the Office of Youth Services (OYS) and possible family strengthening services for runaways returned home</p>	

UNDERSERVED POPULATIONS	HOW PLAN TO MEET THEIR NEEDS	TRAINING TO BE PROVIDED
<p><b>Victims in rural areas</b> Traditionally this includes the following:</p> <p><u>Hawaii County</u>: southeast and southwest sections of the island.</p> <p><u>Maui County</u>: Hana on the Island of Maui and the Island of Lanai.</p> <p><u>Kauai County</u>: Hanalei (north) and Waimea (west).</p> <p><u>City and County of Honolulu</u>: North Shore and Waimea areas of the Island of Oahu.</p>	<p>55% of the total DV shelter services budget will go to the rural neighbor islands, even though only 30% of the state population lives there. This reflects state recognition of the needs and added barriers unique to rural areas.</p>	<p>Per contract, DV shelter staff are required to attend 30 hours of training on domestic violence.</p>
<p><b>Victims with children</b></p> <ul style="list-style-type: none"> <li>▪ Funding for the DV shelters is frequently insufficient to operate programs for children.</li> <li>▪ Sometimes when the batterer has visitation with the children, there is need to exchange the children in a manner that ensures that the adult victim is not exposed to danger or harm. Generally there is a need for visitation programs in rural areas.</li> </ul>	<ul style="list-style-type: none"> <li>▪ DHS will continue to fund children services provided in the shelters, e.g., individual counseling and support groups for children in shelter who witness violence or are affected (trauma) by violence in the home.</li> </ul> <p>Through other funding sources and partnerships, visitation centers will only be available on Oahu and in East Hawaii (Waiakea). The AG has applied for a \$500,000 two-year Federal Safe Haven Grant; status uncertain. Federal funds are needed</p>	<ul style="list-style-type: none"> <li>▪ Per DHS contract, DV shelter staff are required to attend 30 hours of training on domestic violence. Additional DHS training opportunities are also available to all DV shelter staff.</li> <li>▪ AG will turn to Parents and Children Together (PACT) for training assistance.</li> </ul>

UNDERSERVED POPULATIONS	HOW PLAN TO MEET THEIR NEEDS	TRAINING TO BE PROVIDED
	for visitation and exchange services to be available in rural West Hawaii, Kauai and Maui.	PACT has run a successful visitation program on Oahu for several years. The PACT program served as the model for the AG visitation centers program.
<b>Other special populations:</b> - Immigrants - Disabled - Victims with substance abuse issues - Mental health issues - Language barriers	<p>DHS will continue to fund and support shelter efforts to address the needs of special populations through referral and linkage to services or by establishing and bringing services to the shelter.</p> <p>The shelters will continue partnerships with substance abuse and mental health providers in order to support treatment and recovery; will continue to hire/contract for certified substance abuse counselors (CSAC) for the recovery services program in the shelters.</p> <p>The shelters will continue to report language assistance needs through DHS to the State's Office on Language Assistance (OLA).</p>	Law enforcement, prosecutors, service providers, and health care providers can apply for training funds under the Implementation Plan for these target groups.

UNDERSERVED POPULATIONS	HOW PLAN TO MEET THEIR NEEDS	TRAINING TO BE PROVIDED
	Will continue partnership with the Hawaii Immigration Rights Center to assist victims with immigration issues and undocumented aliens needing assistance in obtaining legal status and protections under VAWA.	

## PUBLIC INFORMATION COMPONENT

Because the demand for shelter and related services is so high and funding is inadequate, DHS no longer contracts for separate outreach and public education. The Department has opted to put as much of its limited funds as possible into the DV shelters with the expectation that the statewide system of shelters will take the lead in providing education and outreach in the local communities. Shelter staff have historically provided information to community groups about the dynamics of domestic violence, the services that are available in the community, and the most effective and safe ways to seek help. Each shelter operates a 24-hour hotline for crisis intervention. A hotline phone number is listed in the cover of each county phone book. Hotline staff also provide non-crisis information and assistance to the public.

Through the teen dating violence services contract, school-based outreach is conducted.

### **5. Process and procedures used to involve State domestic violence coalitions, knowledgeable individuals and interested organizations and assure an equitable distribution of grant funds, including between rural and urban areas in the State.**

The Hawaii State Coalition Against Domestic Violence (HSCADV), which is the State's only statewide coalition against domestic violence, has recommended the following:

- Continue to divide the FVPSA grant funds among the existing eight shelters, statewide, in accordance with use.
- Do not contract separately for prevention services since the shelters are in a better position to provide prevention services for the geographic areas they serve. Further, the Hawaii Department of Health (DOH), the state lead agency for prevention services, has special funds for DV and sexual assault to enhance development of DV prevention services.

DHS continues to honor the Coalition's recommendations by distributing the grant funds among the 8 shelters through 6-year contracts that went into effect July 2003 through June 2009. The contracts have been extended to September 2010. In light of this multiyear contractual commitment, it is not necessary for the State and Coalition to meet annually as in the past regarding distribution of grant funds. The doors remain open for the Coalition, its members or any other interested party to contact DHS at any time about any funding or service issues.

**6. Process and procedures that allow for the participation of the State domestic violence coalition in planning and monitoring the distribution of grant funds and determining compliance.**

DHS has awarded six-year contracts for shelter and support services throughout the State, effective July 2003 – June 2009. Before requests for proposals (RFP) were issued, DHS solicited community input on its planned services. One of the ways the State involves the Coalition and other interested community members in information gathering, planning and monitoring is through a public notice and public hearing process we call “Request for Information”, or RFI. The process provides an opportunity to ensure grant compliance by allowing input in the development of RFP specifications, including the numbers to be served in each area, the service activities to be funded and the outcomes expected to be achieved.

The current contracts which were to end June 2009 has been granted an extension for another year to September 2010. DHS will begin the RFI and RFP process for the next contract period.

**7. Procedures developed and implemented that assure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services by any program assisted under FVPSA.**

Confidentiality provisions are found in:

- a. Program rules: Section 17-1601, Hawaii Administrative Rules, effective December 2004 (**ATTACHMENT A**)
- b. DHS standard contract language (**ATTACHMENT B**)

**8. Use of the grant funds, target population, number of shelters to be funded, the services the State will provide, and expected results.**

Provided in **ATTACHMENT C** is the service specifications for the state's RFP for domestic violence shelter and support services statewide. It describes in detail the use of the funds, the target population, the number of shelters to be funded and the expected results.

**ATTACHMENT D** is the service specifications for the state's RFP for statewide teen dating violence services.

The table below summarizes the planned use of State and Federal funding for service provision in FY 2009.

In FY 2007, overall FVPSA program funding to the shelter providers was increased by \$500,000 (+24%) from \$2,108,668 in FY 2006 to \$2,608,668, utilizing TANF funds.

For FY 2008, the State Legislature appropriated additional State General Funds to increase funding again by another \$762,500 (+29%) to \$3,371,168, for an overall increase in funding of 60% from FY 2006 to FY 2008.

Also, \$200,000 in TANF funds were added in FY 2008 for a new Windward Spouse Abuse Shelter contract.

The plan for FY 2009 is to sustain FY 2008 funding levels.

The funding increases occurred at a time when the overall number of women, men and accompanying children sheltered were declining in recognition of the special needs and issues of the shelter population – that they are getting more complicated and challenging, requiring funding support and integrative partnerships for services and training to improve immediate safety, stabilization and transition outcomes.

DV shelters are often a refuge of last resort, and the issues that women seeking shelter bring with them include:

- **1 in every 5** (FY 2008 data) adults sheltered reported **sexual abuse**.
- **1 in every 4** (FY 2007 data; FY 2008 data has not yet been aggregated and analyzed) adults sheltered had **substance abuse** issues and were referred for substance abuse services. The shelters hired CSACs for their recovery services program for women in the shelter.
- **1 in every 11** (FY 2008 data) of the women sheltered (women in the shelter accompanied by their children and women without their children) were known to CPS.
- Women with **mental illness** issues and under medication.
- Vulnerable **disabled** victims.
- Victims with **immigration issues and undocumented aliens** needing assistance in obtaining legal status and protections under the Federal Violence Against Women Act (VAWA).
- Lack of **housing**, **5 of every 6** (FY 2007 data) sheltered adults received housing advocacy
- Lack of **transportation**, **1 of every 2** (FY 2007 data) sheltered adults received transportation services



- **Language/communication barriers, 1 of every 16** (FY 2008 data) sheltered adults needed language assistance. The need was greatest on Oahu with Chuukese, Micronesian, Tagalog, and Korean topping the list.

GEOGRAPHIC AREA	NO. OF SHELTERS	FY 2009 Planned State Funds	FY 2009 Planned State Child Abuse/ Spouse Abuse Special Funds	FY 2009 Planned Title XX SSBG (TANF Transfer) Funds	FY 2009 Planned TANF Funds	FY 2009 Planned <b>FVPS Funds</b>	FY 2009 Planned TOTAL MEANS OF FINANCING
Hawaii County	1 (East Hawaii)	\$165,454		\$55,000	\$62,500	<b>\$95,482</b>	\$378,436
Hawaii County	1 (West Hawaii)	\$182,924		\$50,000	\$62,500	<b>\$89,909</b>	\$385,333
Kauai County	1	\$257,327		\$51,677	\$62,500	<b>\$96,381</b>	\$467,885
Maui County	1 (Maui)	\$115,000	106,154	\$80,000	\$62,500	<b>\$110,384</b>	\$474,038
Maui County	1 (Molokai)	\$127,614		\$40,000	\$62,500	<b>\$82,861</b>	\$312,975
City & County of Honolulu	4	\$656,584		\$111,506	\$187,500	<b>\$306,911</b>	\$1,552,501
STATEWIDE SHELTERS SUBTOTAL	9	\$1,504,903	\$106,154	\$478,183	\$700,000	<b>\$781,928</b>	\$3,571,168
Statewide	Teen Dating Violence Services		\$92,000			<b>\$16,900</b>	\$108,900
<b>SERVICE TOTAL</b>		<b>\$1,504,903</b>	<b>\$198,154</b>	<b>\$478,183</b>	\$700,000	<b>\$798,828</b>	<b>\$3,680,068</b>
5% Admin.							
<b>OVERALL TOTAL</b>		<b>\$1,504,903</b>	<b>\$198,154</b>	<b>\$478,183</b>	\$700,000	<b>\$781,928</b>	<b>\$3,680,068</b>

**9. Law or procedures that the State has implemented for the eviction of an abusive spouse from a shared household.**

Chapter 586, Domestic Abuse Protective Orders, Hawaii Revised Statutes (HRS), **ATTACHMENT E**, provides legal authority for eviction of an abusive spouse from a shared residence. Upon petition to a Family Court judge, a temporary restraining order could be granted without prior notice and without commencement of a matrimonial action. The order may require either or both parties to leave the domicile.

**10. Assurances:**

- Grant funds will be distributed to local public agencies and nonprofit private organizations (including religious and charitable organizations and

voluntary associations) for programs and projects within the State to prevent incidents of family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents in order to prevent future violent incidents.

- b. Not less than 70% of the funds distributed shall be used for immediate shelter and related assistance for victims of family violence and their dependents and not less than 25% of the funds distributed shall be used to provide related assistance.
- c. Not more than 5% of the funds will be used for State administrative costs.
- d. In distributing the funds, the State will give special emphasis to the support of community-based projects of demonstrated effectiveness carried out by non-profit private organizations, particularly those projects the primary purpose of which is to operate shelters for victims of family violence and their dependents and those which provide counseling, advocacy, and self-help services to victims and their children.
- e. Grants funded by the State will meet the matching requirements in section 303(e), i.e., not less than 20% of the total funds provided for a project under the FVPS Act with respect to an existing program, and with respect to an entity intending to operate a new program under this title, not less than 35%. The local share will be cash or in kind; and the local share will not include any federal funds provided under any authority other than the FVPS Act.
- f. Grant funds made available under this program by the State will not be used as direct payment to any victim or dependent of a victim of family violence.
- g. No income eligibility standard will be imposed on individuals receiving assistance or services supported with funds appropriated to carry out this Act.
- h. The address or location of any shelter-facility assisted under this Act will not be made public, except with the written authorization of the person or persons responsible for the operation of such shelter.
- i. Programs or activities funded in whole or in part under the Act will prohibit discrimination on the basis of age, handicap, sex, race, color, national origin or religion.
- j. Funds made available under the Act will be used to supplement and not supplant other Federal, State and local public funds expended to provide services and activities that promote the purposes of the Act.

- k. The State will comply with the applicable Departmental record keeping and reporting requirements and general requirements for the administration of grants under 45 CFR Part 92.

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Lillian B. Koller, Director

## CERTIFICATIONS

### Certification Regarding Lobbying

#### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or

an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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Lillian B. Koller, Director  
Department of Human Services  
State of Hawaii

## Certification Regarding Debarment, Suspension and Other Responsibility Matters

### Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

#### Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of

embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [Page 33043] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.



6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## Certification Regarding Environmental Tobacco Smoke

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

## Certification Regarding Drug-free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW., Washington, DC 20201.

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies.

4. For grantees who are individuals, Alternate II applies.

5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to

the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

#### Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about--

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will--

(1) Abide by the terms of the statement; and  
(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted--

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)